



1311 Executive Center Drive, Suite 200 Tallahassee, Fl 32301-5027

April 15, 2003

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Mrs. Blanca Bayo, Director Division of Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

## RE: Docket No. 021249-TP - Supra's Letter to Commissioner Rudy Bradley

Dear Mrs. Bayo:

Enclosed is the original and seven (7) copies of Supra Telecommunications and Information Systems, Inc.'s (Supra) Letter to Commissioner Bradley seeking an explanation regarding the deferral of this docketed item from the Commission's April 1, 2003, Agenda Conference.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return it to me.

Sincerely,

rian Charken/arts

Brian Chaiken General Counsel

AUS CAF CMP COM CTR ECR GCL OPC MMS SEC OTH

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DOCUMENT NUMBER-DATE 03475 APR 15 원 FPSC-COMMISSION CLERK

## CERTIFICATE OF SERVICE Docket No. 021249-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via Facsimile, Hand Delivery and/or U.S. Mail this 15<sup>th</sup> day of April, 2003 to the following:

Patricia (Patti) Christensen, Esq. Brent Taylor, Esq. Staff Counsel **Division of Legal Services** Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Nancy B. White, Esq. James Meza III, Esq. c/o Nancy H. Sims 150 South Monroe Street, Suite 400 Tallahassee, FL. 32301 (850) 222-1201 (voice) (850) 222-8640 (fax)

## SUPRA TELECOMMUNICATIONS

& INFORMATION SYSTEMS, INC. 2620 S.W. 27<sup>th</sup> Avenue Miami, Florida 33133 Telephone: (305) 476-4248 Facsimile: (305) 443-9516

By: Brian Charlen / aHS BRIAN CHAIKEN, ESQ.

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April 15, 2003

Commissioner Rudolph (Rudy) Bradley Pre-Hearing Officer Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

## RE: Docket No. 021249-TP – Complaint of Supra Telecommunications and Information System, Inc.'s Against BellSouth Telecommunications, Inc. For Non-Compliance With Commission Order No. PSC-02-0878-FOF-TP

Honorable Commissioner Bradley:

On December 18, 2002, Supra Telecommunications and Information Systems, Inc.'s ("Supra") filed a Complaint against BellSouth Telecommunications, Inc. ("BellSouth") for Non-Compliance with Commission Order No. PSC-02-0878-FOF-TP. In its Complaint, Supra alleged that BellSouth's refusal to provide its FastAccess Internet Service ("FastAccess") to customers who receive voice service from Supra was a violation of Commission Order No. PSC-02-0878-FOF-TP. Further, Supra asked this Commission for expedited relief in this matter.

On January 7, 2003, the last day it had in which to file a response, BellSouth filed a Motion to Dismiss and opposition to the request for the expedited relief. On March 20, 2003, Commission Staff filed a Recommendation in which the staff recommended denial of BellSouth's Motion to Dismiss for the April 1, 2003, Commission Agenda Conference. After the close of business, on the eve of the Commission Agenda Conference, and after Supra's counsel had made the trip from Miami to Tallahassee, Supra's Regulatory Office was notified by the Commission's General Counsel that this Complaint item would be deferred from the April 1, 2003, Agenda Conference. Until today, Supra has no understanding or explanation why this item was deferred from the April 1, 2003, Agenda Conference. Further, Supra has noticed that the hearing on BellSouth's Motion to Dismiss (not a hearing on the substantive merits of Supra's Petition) has been rescheduled for another 30 days, to the May 6, 2003, Agenda Conference.

Commissioner Bradley April 15, 2003 Page 2

Thus, Supra seeks an explanation as to why this item, seeking expedited relief resulting from BellSouth's outright refusal to comply with this Commission's Order, cannot get past the pleading stage for over 5 months. It is apparent that delay in this matter only serves to hurt consumers.

Respectfully,

Brian Charken atts

Brian Chaiken General Counsel

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CC: Chairman Lila A. Jaber Commissioner Braulio Baez Commissioner Charles (Chuck) Davidson Harold McLean, General Counsel